

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application. Applicant's representative gratefully acknowledges the courtesy extended by the Examiner during the interview of December 18, 2008.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 7-21 are currently pending. Claims 1-6 have been canceled without prejudice or disclaimer of subject matter. Claims 7-9, 11, 14-16, 18, and 21, which are independent, are amended. Support for this amendment is provided throughout the Specification as originally filed.

No new matter has been introduced. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §112, §102(b), AND §103(a)

Claim 21 was rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the written description requirement.

Claims 7-9, 11, 14-16, 18, and 21 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,477,396 to Fukami et al. (hereinafter, merely "Fukami").

Claims 10 and 17 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Fukami.

Claims 12-13 and 19-20 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Fukami in view of U.S. Patent No. 4,782,391 to McNeely et al. (hereinafter, merely “McNeely”).

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“wherein the predetermined ratio is set according the fixed clock frequency, the recording clock frequency, and the reproduction clock frequency, and

wherein the fixed clock frequency is maintained upon generating the recording clock frequency and the reproduction clock frequency so that a waiting period for clock stabilization is removed.” (emphasis added)

Applicant respectfully submits that Fukami fails to disclose or teach the above-identified features of claim 1. Specifically, nothing is found in Fukami that discloses or teaches wherein the predetermined ratio is set according the fixed clock frequency, the recording clock frequency, and the reproduction clock frequency and wherein the fixed clock frequency is maintained upon generating the recording clock frequency and the reproduction clock frequency so that a waiting period for clock stabilization is removed, as recited in claim 1.

For reasons similar or somewhat similar to those described above with regard to independent claim 7, independent claims 8-9, 11, 14-16, 18, and 21 are also believed to be patentable.

IV. DEPENDENT CLAIMS

The other claims are dependent from one of the claims discussed above and are therefore believed patentable for at least the same reasons. Because each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

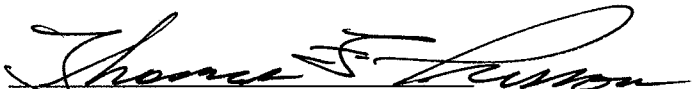
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By: 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800